IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG).

Writ Petition No. 1689/2002

Petitioner :: Nirmal Singh, son of Shri Gurubachan Singh, aged about 27 years, r/o Sector No. II, Quarter No. 29/F/3 Bhilai, district Durg (CG).

Versus

Respondents ::1. The State of Chhattisgarh, through the Secretary, Department of Transport, D.K. Bhawan, Raipur (CG).

2. The Tax Officer/ Addl. Regional Transport Officer Durg (CG).

3. Shri U.K. Chandrawanshi, Incharge Flying Squade, Transport Department Durg (CG).

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA :

(27)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Writ Petition No. 1689 of 2002

Petitioner		Nirmal Singh
	Versus	
Respondents		The State of Chhattisgarh & others

Shri B. K. Rawat, Advocate for the petitioner.

Shri A. S. Kachhawaha, Government Advocate for the respondents No. 1 and 2.

ORDER

(Passed on this 14th day of February, 2007)

1. Learned counsel appearing for the petitioner submits that without issuing demand notice and passing the assessment order, the respondents No. 2 and 3 have confiscated the vehicle in dispute bearing registration number M.P.-24-C/2119 on 7.8.2002, despite the order dated 22.2.2002 passed by this Court in regard to the same vehicle in W.P.No. 2299/2001.
2. Having regard to the facts and circumstances of the case the respondents No. 2 and 3 are directed to release the said vehicle to the petitioner, forthwith, in the case the vehicle has been seized without following the due process of law. However, the liberty is reserved to the respondents No. 2 and 3 to proceed in accordance with law.
3. In view of the foregoing, the matter stands disposed of. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Thakur